

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DARRELL DARNELL MCCLURE,

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Petitioner,

)

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v.

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1:14-CV-606

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1:06-CR-232-1

UNITED STATES OF AMERICA,

)

)

Respondent.

)

**ORDER**

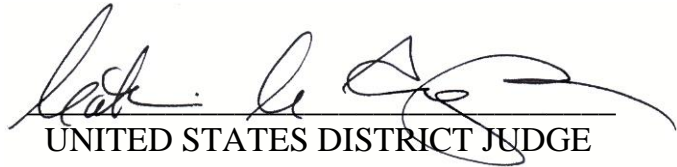
The Recommendation of the United States Magistrate Judge was filed in accordance with 28 U.S.C. § 636(b) and, on January 16, 2015, was served on the parties in this action. No objections were filed. The Court hereby adopts the Magistrate Judge's Recommendation. This Order does not resolve the defendant's motion for sentencing reduction pursuant to 18 U.S.C. § 3582, (Doc. 95), though the Court expects that motion will be resolved as part of the resentencing.

**IT IS THEREFORE ORDERED** that:

1. The petitioner's motion to correct sentence (Doc. 97), is **GRANTED** as to the sentence, and the sentence set out in the judgment, (Docs. 31, 62) is **VACATED**.
2. This matter is set for resentencing on March 24 at 2 p.m. in Courtroom 3. The defendant remains in custody and the United States Attorney is directed to produce defendant for the resentencing hearing.

3. The Probation Office shall prepare a Supplement to the Presentence investigation Report at least twenty days before the resentencing hearing.
4. Counsel will be appointed to represent defendant at the resentencing hearing.

This the 10th day of February, 2015.



UNITED STATES DISTRICT JUDGE